

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT:

Resolution No. 8523 adopting the City of Bellevue 2013 Federal Legislative Agenda.

FISCAL IMPACT:

Adoption of the Federal Legislative Agenda does not have a direct fiscal impact on the City. However, some items in the Federal Legislative Agenda call for increased funding for programs. If approved by Congress, these items could impact the City in the future through increases or decreases in City revenues or expenses.

STAFF CONTACT:

Joyce Nichols, Interim Director of Intergovernmental Relations, 452-4225
City Manager's Office

POLICY CONSIDERATION:

The Federal Legislative Agenda sets forth the City's policy positions with respect to federal legislative issues. This document is the basis for communications between City officials, the City's Congressional delegation, federal agencies, and other interested parties regarding such issues.

BACKGROUND

At the January 28 Regional Issues Study Session, Council reviewed and discussed the draft 2013 Federal Legislative Agenda. In response to Council direction, staff has added a paragraph regarding completion of the SR 520 Bridge Replacement Project as a legislative priority in the Transportation Section. The proposed final Agenda showing the added paragraph in redline on page two is provided as Attachment 1.

EFFECTIVE DATE

This Resolution will be effective immediately upon adoption.

OPTIONS

1. Approve Resolution No. 8523, adopting the City of Bellevue's 2013 Federal Legislative Agenda provided under Attachment 1.
2. Amend Resolution No. 8523.
3. Do not approve Resolution No. 8523, and provide alternative direction to staff.

RECOMMENDATION

Approve Resolution No. 8523, adopting the City of Bellevue Federal Legislative Agenda for 2013.

MOTION

Move to adopt Resolution No. 8523, adopting the City of Bellevue Federal Legislative Agenda for 2013.

ATTACHMENTS

- (1) Proposed final City Bellevue 2013 Federal Legislative Agenda.
- (2) Resolution No. 8523, adopting the 2013 City of Bellevue Federal Legislative Agenda.



CITY OF BELLEVUE

2013 FEDERAL LEGISLATIVE AGENDA

GENERAL POLICY

The City of Bellevue will support legislation that enhances local flexibility to address issues of local concern. The City of Bellevue will oppose legislation that mandates increased local costs or results in an inappropriate diminution of local authority over local affairs. The City of Bellevue will closely monitor legislation that would result in the federal government no longer providing a service or funding a service to determine if the result at the state and local level is an inappropriate additional burden on local government, even though the burden may not be mandated.

FUNDING OPPORTUNITIES

Bellevue will work with the Congressional Delegation, the administration and federal agencies to identify funding opportunities and prepare grant applications as appropriate. City staff will maintain contacts with local agency staff as well as Washington, D.C. agency staff in an effort to identify opportunities to advance City priorities.

LEGISLATIVE PRIORITIES

1. TRANSPORTATION

A. Advancing MAP-21 - Moving Ahead for Progress in the 21st Century Act.

Adopted in July 2012, MAP-21 is a two-year reauthorization of the nation's surface transportation programs through September 2014. Bellevue supports MAP-21's mobility programs and projects that enhance the economic strength and value of core metropolitan cities, particularly those investments in high-growth centers and targeted areas of growth. More details about MAP-21 will emerge over the coming year, and based on information available to date, Bellevue supports the following principles:

- 1) Greater investment in transportation overall and targeted funding to designated metropolitan areas where jobs and economic value provide the highest return on public investment, including greater use of the federal Transportation Infrastructure Financing and Innovation Act (TIFIA).
- 2) Focused highway funding to reduce and better manage congestion on urban highways that connect urban growth centers and improve highway-to-highway connections.
- 3) Targeted investments for infrastructure, transit services and capital that support sustainable and transit-oriented development.
- 4) Expansion of electric vehicle and other "clean mobility" infrastructure initiatives.
- 5) Acceleration of project delivery, improved efficiency, effectiveness and accountability in planning, design, engineering and financing in the delivery of transportation projects;
- 6) Extensions of light rail that connect key economic and growth centers based upon sound ridership, system performance and reasonable cost effectiveness criteria.

B. City Transportation Investment Priorities

The City of Bellevue is committed to working with our federal partners to achieve mobility benefits of mutual interest where local infrastructure connects to the state and federal highway systems. The combination of these investments will have far-reaching mobility benefits to the federal, state and local transportation systems with significant economic and livability benefits. Bellevue supports the following:

1) Progress towards completion of the I-405 Master Plan, including the following near-term investments:

- NE 6th extension to 120th NE
- One new lane in each direction from I-90 to Renton
- Restripe NE 12th to SE 8th to accommodate an additional lane in each direction

2) Completion of the SR 520 Bridge Replacement Project's "West End" to ensure reliable traffic conditions for all users between Montlake in Seattle and its critical connection to Bellevue and other Eastside cities.

3) Support for Redevelopment of the Bel-Red Area, a significant transit-oriented, higher-density development, and improved access and mobility for Downtown and adjacent redevelopment areas. This includes key investments to improve access to and from I-405 and SR 520 through the following improvements:

- Extending NE 4th to 120th NE to improve access across I-405.
- Widening 120th NE from NE 8th to NE 15th to meet future travel demand and support redevelopment around the light rail station and the surrounding neighborhood.
- Completing a full interchange at 124th NE and SR 520 to improve access for SR 520 users and access to I-405.

4) East Link Light Rail Project Components. Bellevue urges our delegation to partner with the City and Sound Transit to achieve full funding of the East Link light rail extension in Bellevue's Downtown and the emerging redevelopment of the Bel-Red area through financial participation in the East Link Downtown Tunnel project and other key investments along the rail corridor within the City limits.

2. ENERGY AND ENVIRONMENT+

A. Sustainable communities. The City encourages Congress to explore funding and incentives that encourage and allow local communities to become increasingly resilient and self-sustaining.

1) Bel-Red Corridor. The City's Bel-Red Corridor Plan is a leading model for sustainable development planning. It envisions transforming a 900-acre infill site into mixed use, transit-oriented neighborhoods, while restoring ecological functions and creating thousands of new jobs and housing units. Key principles for the development of the Bel-Red Corridor include: transit-oriented and higher density development, ecologically sensitive design and land use, and affordable housing. Funding is needed to implement basic infrastructure to bring this plan to fruition.

The City supports legislation and funding to implement projects that support the Sustainable Communities Partnership, a 2009 initiative with the Environmental Protection Agency, the Department of Housing and Urban Development and the Department of Transportation to improve access to affordable housing, create transportation options and lower transportation costs while protecting the environment.

2) Economic Development focused on the Clean Technology Sector. The City supports incentives and other efforts to draw, incubate and retain enterprise in the clean technology sector, such as renewable energy, zero/low emission transportation, energy efficiency, smart grid and embedded technologies.

- 3) **Cleaner Mobility.** The City supports broadening of mobility options, including funding to enable local, regional and statewide investments that are needed for planning and implementation of electric vehicle infrastructure.
- 4) **Clean Public Fleets.** The City supports tax and other incentives and credits for municipal fleets to transition to less polluting and more fuel efficient vehicles.
- 5) **Climate Disruption Mitigation and Resiliency.** The City supports efforts to provide tools and funding for local governments to reduce emissions and create and implement plans to increase resiliency against climate disruption.
- 6) **Energy Efficiency and Resource Conservation.** The City supports the reinstatement of the Energy Efficiency and Conservation Block Grant program (EECBG) or alternative support to help communities reduce their consumption of non-renewable resources.
- 7) **Integrated Planning and Green Infrastructure.** The City supports the dedication of resources to drive local communities to engage in more holistic planning efforts – those that address community needs for jobs, housing and transportation – and those which take advantage of the latest and best science and technology regarding increased energy efficiency, decreased resource usage and pollution.

B. Water Supply – Cascade Water Alliance. The City of Bellevue is a member of the Cascade Water Alliance and supports Cascade’s efforts to develop Lake Tapps as a future water supply to meet growth in the region and for environmental sustainability. The City supports Cascade’s efforts to advance and secure federal funding for design and reconstruction of the Mud Mountain Barrier Dam as well as other infrastructure projects that interconnect water supplies in the region.

C. Clean Water Act

- 1) **Clean Water Act Amendments.** The City opposes amendments to the Clean Water Act that would expand the scope of federal jurisdiction from navigable waters to all waters. This change could lead to a significant increase in permitting costs as well as delays for City projects.
- 2) **Municipal Stormwater Discharges – NPDES Phase II Permit.** The City supports a municipal stormwater permit that provides a realistic and affordable way for cities to achieve Clean Water Act goals, while recognizing that cities do not have the authority to regulate or the ability to control the majority of nonpoint source pollutants in the stormwater system.

Land use policy authority rests with local governments, and the City opposes permit conditions requiring cities to revise land use codes to incorporate low impact development (LID) principles because it would impede local control, create conflicts with other mandates for land use decision making, and increase risk of litigation. The City opposes permit conditions that mandate the use of LID best management practices, while the City supports phased LID implementation or pilot projects that will increase understanding of the long-term implications, feasibility and cost of LID best management practices in an urban area.

- 3) **Municipal Stormwater Discharges – NPDES Phase II Permit Standard.** The City supports the current maximum extent practicable (MEP) standard as the required standard of compliance in the federal NPDES municipal stormwater permit program. The City strongly opposes changes to the standard that would require use of numeric effluent limitations in place of best management practices.
- 4) **Infrastructure Funding.** The City supports legislation to create financing opportunities and grants for the backlog of water, stormwater and wastewater infrastructure needs.

- a. **Lakeline.** Of particular importance to Bellevue is funding to repair and/or replace deteriorating segments of the sewer pipeline located underwater along the shore of Lake Washington (“lakeline”).
- b. **Innovative Technologies.**
 - i. **Sustainable Stormwater (NDPs).** The City supports incentives for natural drainage or sustainable stormwater infrastructure efforts and pilot projects.
 - ii. **Wastewater Reuse with Membrane Bioreactor Technology (MBR).** The City supports funding for advanced wastewater treatment systems using MBR technology, which produce reclaimed water on-site that is appropriate for toilet flushing, irrigation and cooling system water.

D. Endangered Species Act. As a member of the local watershed planning organization, the Lake Washington/Cedar/Sammamish Watershed Forum (WRIA 8), the City has been engaged in regional and statewide efforts to respond to Endangered Species Act (ESA) species listings. The City and its partner agencies continue to seek significant federal funding to implement the WRIA 8 Watershed Plan.

E. Solid and Hazardous Waste

- 1) **Product Disposal.** The City supports programs that encourage manufacturer responsibility for developing and implementing a collection system for the reclamation and proper disposal of their products at the end of the products’ useful life.
- 2) **Resource Conservation and Recovery Act (RCRA)/Superfund.** The City will monitor legislation regarding local requirements with respect to hazardous waste regulation and liability, to protect the City’s ability to control toxics, and minimize City liability for third party contributed toxics. The City also supports increased funding for local response to hazardous waste spills on local and state roads and highways.
- 3) **Brownfields.** The City is interested in continued incentives and funding for the redevelopment and clean-up of brownfields.

3. ECONOMIC STIMULUS INVESTMENTS

The City encourages Congress in its development of potential economic stimulus packages to provide direct grant funding to local governments for infrastructure and public works projects, which are economic drivers that provide multiple benefits to the region and the economy.

The City also supports economic stimulus funding for the U.S. Department of Housing and Urban Development (HUD), the Community Development Block Grant program (CDBG), HOME Investment Partnership Act (HOME) and the Energy Efficiency and Conservation Block Grant program (EECBG).

4. TAXATION AND FINANCE

- A. Business Activity Taxes.** Bellevue opposes actions that would reduce the City’s ability to tax out-of-city taxpayers who conduct business activities in the City.
- B. Internet Sales.** Bellevue supports the collection of local sales tax on internet sales. The City supports legislation that would grant states the authority they need to require sellers, regardless of location, to collect sales and use taxes owed to them. Bellevue opposes actions that would reduce the City’s ability to tax on-line travel service providers that are located in the City. The City supports actions to ensure that lodging and sales taxes are collected and remitted to the state and City in an appropriate manner.

- C. State and Local Sales Taxes Deductibility.** Bellevue supports a federal tax deduction for state and local sales taxes. The City urges Congress to enact legislation making the federal tax deduction permanent for Washington residents.
- D. Bank Qualified Debt Limit.** Bellevue supports extension of a 2009 stimulus bill provision that encouraged banks to buy municipal debt from small issuers by increasing the bank qualified debt limit from \$10 million to \$30 million.
- E. Tax Exempt Municipal Bonds.** Support retaining the tax exemption for municipal bonds which are the primary financing mechanism for state and local infrastructure projects. Eliminating or curtailing this exemption was part of the discussion during negotiations on the “fiscal cliff”, however no changes to the municipal bond tax exemption were contained in the legislation that was passed.

5. TELECOMMUNICATIONS

The City urges Congress and the Federal Communications Commission (FCC) to preserve local government’s authority to make reasonable local decisions regarding telecommunications issues, especially taxation and land use decisions regarding the siting of telecommunications facilities. The City opposes efforts to:

- Reduce local authority to manage rights of way;
- Create a national franchising authority;
- Limit local government’s ability to tax cell phones and internet provided phone services similarly to landlines;
- Limit government and education access requirements;
- Limit franchise fees to 5% of subscriber revenue rather than gross revenues; and
- Centralize collection of telecommunications taxes such as local telephone taxes, rights-of-way fees, and franchise fees.

The City urges Congress and the FCC to:

- Preserve the ability of municipalities to own, operate and manage high speed broadband networks for the benefit of citizens;
- Preserve the benefits of open competition on the Internet through the principle of network neutrality;
- Require internet provided phone services to have similar obligations as traditional providers, including full 9-1-1 functionality and compatibility, without any special tax treatment; and
- Allocate D-Block spectrum to public safety in order to allow first responders to build a nationwide interoperable communications network that provides the capacity needed to transmit critical real-time high resolution video, voice and data.

6. HEALTH CARE

Health Care Costs. Escalating costs of providing health care benefits are creating fiscal difficulties for both public and private employers. Bellevue urges Congress to consider policies that will reverse the health care cost trend and stabilize the escalation without placing added burdens on employers.

7. PUBLIC SAFETY

- A. First Responders.** The City of Bellevue supports Congressional efforts to continue to provide funding for homeland security and emergency response, mitigation, and

preparedness for terrorism and related acts at the national, state and local levels. In addition to equipment, provisions for overtime and backfill to participate in Department of Homeland Security (DHS) approved training for first responders are critical. The City supports the Urban Area Security Initiative (UASI) program, the Assistance to Firefighters Grant (AFG) and urges Congress to continue to fund the programs.

B. Gun Violence

- 1) **Access to Guns.** The City supports improving public understanding about the risks of gun violence, reducing easy access to firearms – especially for at-risk individuals, stopping the flow of illegal guns, and sharing information among jurisdictions. In addition, the City supports reducing the firepower available to criminals by banning military style assault weapons, armor piercing handgun ammunition, and sniper rifles and other weapons that enable criminals to outgun law enforcement.
- 2) **Gun Trace Data.** The City supports repeal of the Tiahrt Amendment which prevents the Bureau of Alcohol, Tobacco, Firearms and Explosives from publishing reports that use trace data to analyze the flow of crime guns nationally; limits local government access to Bureau trace data; prevents law enforcement from accessing trace data outside its jurisdiction; and prevents trace data from being used as evidence in any state license revocation, civil lawsuit or other administrative proceeding, unless filed by the Bureau.

C. Community Oriented Policing Services (COPS) Funding. Bellevue supports funding for the COPS program in order to provide vital resources to state and local law enforcement.

D. Regional Drug Task Forces. The City supports continued federal funding for regional drug task forces, such as the Eastside Narcotics Task Force.

E. Public Safety Spectrum/Interoperability. The City supports the Public Safety Interoperable Communications program (PSIC) and will be working with the state and region to access funding for interoperability.

8. HOUSING, HUMAN SERVICES AND HOMELESSNESS

The City of Bellevue distributes Community Development Block Grant (CDBG) funds to programs serving low- and moderate-income seniors, individuals who are homeless or at risk of becoming homeless, and individuals with special needs.

- The City opposes any effort to reduce the impact of the CDBG program through a revised distribution formula directing funds away from communities with fewer low-income residents.
- The City supports continued direct funding to local governments through entitlement and competitive programs offered by the U.S. Department of Housing and Urban Development (HUD), including the Community Development Block Grant (CDBG) program, the HOME Investment Partnership Act (HOME) and HEARTH Act.
- The City encourages the federal government to commit the funds necessary to end homelessness through existing HUD homelessness programs and Section 8 Housing Choice Voucher assistance.
- The City affirms its full support for and commitment to the intent and uniform enforcement of the federal Fair Housing Act and its amendments. The City will work in good faith with affected stakeholders nationally to achieve long term, practical solutions to the issues regarding city authority to mitigate disproportionate impacts on residential neighborhoods relating the siting and operation of group care facilities.

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 8523

A RESOLUTION adopting the City of Bellevue Federal Legislative Agenda for the 2013 legislative session.

WHEREAS, the purpose of the city government is to provide high quality service to its citizens in the most efficient and effective manner possible; and

WHEREAS, cities in Washington are subject to state legislative action; and

WHEREAS, the City of Bellevue believes that local government can be the most effective level of government if given the opportunity and should be given the authority to make decisions which are primarily local in nature; and

WHEREAS, the Bellevue City Council wishes to communicate its legislative priorities to members of the United States Congress; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Favorable legislation by the United States Congress of the issues identified in the Federal Legislative Agenda for 2013, a copy of which has been given Clerk's Receiving No. _____, will enable the City of Bellevue to more effectively serve its residents. Therefore, the Federal Legislative Agenda is hereby adopted.

Section 2. The Federal Legislative Agenda for 2013 shall be conveyed to the appropriate members of the United States Congress and shall form the basis for City of Bellevue communications concerning federal issues in 2013.

Passed by the City Council this _____ day of _____, 2013, and signed in authentication of its passage this _____ day of _____, 2013.

(SEAL)

Conrad Lee, Mayor

Attest:

Myrna L. Basich, City Clerk